

**STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF JEFF BRINKMAN REGARDING RICHARD W. GINSBERG

On April 22, 2024, the Campaign Finance and Public Disclosure Board received a complaint submitted by Jeff Brinkman regarding Richard W. Ginsberg. Mr. Ginsberg has been a registered lobbyist since 1997, assigned Board registration number 9713. The complaint was attached to an email stating “We believe this gentlemen continues his work as an unregistered lobbyist for medical cannabis manufacturers and possibly the UFCW 1189 cannabis union, the Mille Lacs Band of Ojibwe , Hwy 35 Cannabis or the Minnesota Marijuana Association.” The complaint describes the alleged violation as “failure to update lobbying registration (medical and recreational cannabis).” The complaint asserts that “Mr. Ginsberg has been actively representing the interests of medical cannabis” and that he “appears to have been involved in shaping legislation for medical manufacturers.” The complaint does not cite a specific statute or rule that Mr. Ginsberg is alleged to have violated.

The complaint includes a printout of a Board webpage showing the principals for which Mr. Ginsberg is presently registered as a lobbyist;¹ a printout of a Board webpage showing a partial list of political contributions reportedly made by Mr. Ginsberg;² written testimony Mr. Brinkman appears to have provided to the House Commerce Finance and Policy Committee regarding H.F. 4757 in March 2024;³ a copy of a document apparently produced by the Office of Governor Tim Walz and Lieutenant Governor Peggy Flanagan in September 2023 regarding the Office of Cannabis Management, listing “Rich Ginsberg” as a stakeholder; three February 2024 emails from an Office of Cannabis Management employee regarding an informational panel with leadership from that agency, Cannabis Public Policy Consulting, and the Department of Employment and Economic Development, at least two of which were apparently sent to Mr. Ginsberg’s email address; a list appearing to contain the names of those invited to attend the informational panel on which Mr. Ginsberg’s “Affiliations” are listed as “Medical;” a copy of a webpage regarding Mr. Ginsberg’s service on the Metropolitan Airports Commission;⁴ and copies of certain posts of Mr. Ginsberg on Twitter, including one post from May 2021 regarding changes to Minnesota’s medical cannabis program⁵. The printout included with the complaint, and confirmed by Board records, shows that Mr. Ginsberg is presently registered as a lobbyist on behalf of the Corporate Commission of the Mille Lacs Band of Chippewa Indians,⁶ and MN Medical Solutions,⁷ among other principals. Mr. Ginsberg’s lobbyist registration form for MN

¹ cfb.mn.gov/reports-and-data/viewers/lobbying/lobbyists/9713/

² cfb.mn.gov/reports/#/contributors/97770/

³ house.mn.gov/comm/docs/Et0EmgOg10KU3UDI-rYAnw.pdf at 6

⁴ metroairports.org/people/richard-ginsberg

⁵ twitter.com/RichardGinsber8/status/1394545678328557572

⁶ cfb.mn.gov/reports-and-data/viewers/lobbying/lobbying-organizations/3587/

⁷ cfb.mn.gov/reports-and-data/viewers/lobbying/lobbying-organizations/6948/

Medical Solutions, dated February 22, 2017, stated that Mr. Ginsberg expected to lobby on the subject of medical cannabis policy, legislation, and rulemaking.

Determination

Minnesota Statutes section 10A.03, subdivision 1 requires a lobbyist to register with the Board within five days after becoming a lobbyist, or being engaged to represent a new association as a lobbyist. Minnesota Statutes section 10A.03, subdivision 2 provides that a lobbyist registration form must include “the name and address of each individual, association, political subdivision, or public higher education system, if any, by whom the lobbyist is retained or employed or on whose behalf the lobbyist appears,” and “the general lobbying categories on which the lobbyist expects to lobby on behalf of a represented entity.” Minnesota Statutes section 10A.04, subdivision 4, paragraph (i), requires that each lobbyist report “disclose the general lobbying categories that were lobbied on in the reporting period.”

The complaint and the Board’s records reflect that Mr. Ginsberg has been registered to lobby on behalf of the Corporate Commission of the Mille Lacs Band of Chippewa Indians since 1997. The complaint and the Board’s records reflect that Mr. Ginsberg has been registered to lobby on behalf of MN Medical Solutions since 2017. While the complaint includes evidence that Mr. Ginsberg has lobbied on the subject of cannabis regulation, it does not include evidence specific to UFCW Local 1189, HWY35, LLC, the Minnesota Marijuana Association, or any particular medical cannabis manufacturer. Moreover, Board records show that Mr. Ginsberg has lobbied on the subject of cannabis regulation on behalf of MN Medical Solutions. Therefore, the complaint does not provide reason to believe that Mr. Ginsberg violated Minnesota Statutes section 10A.03 by failing to register as a lobbyist on behalf of any specific principal, or violated Minnesota Statutes, section 10A.04, subdivision 4 by failing to identify medical cannabis regulation as a lobbying category on which he lobbied on behalf of MN Medical Solutions.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, this prima facie determination is made by a single Board member and not by any vote of the entire Board. Based on the above analysis, the Chair concludes that the complaint does not state a prima facie violation of Chapter 10A. The complaint is dismissed without prejudice.



Faris Rashid, Vice Chair
Campaign Finance and Public Disclosure Board

Date: May 3, 2024